
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

TYRONE HORACE,

Plaintiff,

versus

STATE OF TEXAS,

Defendant.

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CIVIL ACTION NO. 1:06-CV-299

MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Tyrone Horace, an inmate confined at the Jefferson County Correctional Facility, proceeding *pro se*, filed this civil rights lawsuit.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning this matter. The magistrate judge recommends this lawsuit be dismissed without prejudice for failure to exhaust administrative remedies.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the magistrate judge's Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is ADOPTED. A final judgment will be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 5th day of July, 2006.

A handwritten signature in cursive script, reading "Marcia A. Crone".

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE